

## City of Alameda Planning Board Draft Resolution

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA  
APPROVING PLN12-0226 – A SEVENTY LOT SUBDIVISION AT 1551 BUENA VISTA  
AVENUE

WHEREAS, an application was made on May 22, 2012, by John Shelton, Trident Partners, LLC, requesting approval to develop a 70-lot, 89-unit subdivision on a 7.14-acre property located at 1551 Buena Vista Avenue; and

WHEREAS, the project site is designated as Medium Density Residential on the General Plan Diagram; and

WHEREAS, the project site is located within the R-4/PD-MF (Neighborhood Residential with a Planned Development and Multi-Family Combining overlay); and

WHEREAS, pursuant to the California Environmental Quality Act, the Planning Board found the Initial Study and Mitigated Negative Declaration to be adequate in addressing the environmental impacts for the proposed Tentative Map; and

WHEREAS, the Planning Board held a public hearing on this application on October 22, 2012; and

WHEREAS, the Planning Board has made the following findings concerning the project:

1. **The proposed subdivision is in conformance with the General Plan and Zoning for this site.** The development is consistent with the Medium Density Residential General Plan and R-4/PD-MF Zoning designations for the property. The project would permit 89 dwelling units and would provide 70 lots ranging in size from approximately 2,000 to 3,200 square feet. This is consistent with development standards for the R-4/PD-MF zoning district and the Medium Density Residential designation of the General Plan.
2. **The site is physically suitable for the proposed residential development in the General Plan.** The site is located in an area of predominately residential development or area that is planned for future residential development. The Northern Waterfront General Plan Amendment will guide the development of adjacent properties for residential or mixed-use development.
3. **The site is physically suitable for the density of the development.** Redevelopment of the site is consistent with density standards of the General Plan and Zoning Ordinance. The site is vacant, level, and surrounded on two of the four

sides by residential neighborhoods with a similar density. The proposed Tentative Map is designed to be compatible with the density of the adjacent neighborhoods.

4. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage** or substantially and avoidably injure fish or wildlife or their habitat. The residential redevelopment of the site will not introduce hazards that are inconsistent with standard residential development within the R-4/PD-MF zoning district and the Medium Density Residential general plan designation. Mitigation measures and conditions of approval ensure that no unintended environmental damage or exposure of future residents to environmental dangers could occur.
5. **The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** All required easements are to be retained and additional other necessary easements are to be provided.
6. **The design of the subdivision and its improvements will not cause serious public health problems.** The project will include improvements to the Clement Avenue and Entrance Way right-of-way and will include conditions that assure that the property is free of hazardous materials and would not adversely affect public health. Easements for surface drainage runoff and utilities are required as conditions of the Tentative Map.

BE IT RESOLVED THAT, the project was the subject of an Initial Study and Mitigated Negative Declaration and the proposed Mitigation Measures have been added as Conditions of Approval which will reduce any potentially significant impacts to a less than significant level.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approved a tentative map to develop a 70-lot, 89 unit subdivision on a 7.14 acre property located at 1551 Buena Vista Avenue and bounded by Ohlone Street, Buena Vista Avenue, Clement Avenue and Entrance Way and recommend approval of the Tentative Map to the City Council subject to compliance with the following conditions:

### **Community Development**

1. Prior to issuance of any building permit, the applicant must apply for and receive Design Review and Development Plan approval for all improvements including architectural, landscape, and site design. The Design Review and/or Development Plans shall specify:
  - a). Buyers with Disabilities: That the project shall have optional floor plans available for buyers with disabilities, such as a floor plan with the Master Bedroom on a lower floor with the kitchen and living area, which may require a one car garage.

b). Lighting: Project lighting designed to minimize the amount and visual impact of perimeter lighting, through measures such as downward-pointing lights, side shields, visors, and motion-sensor lighting. Utilize minimum wattage fixtures to achieve required lighting levels. Alameda Municipal Power has a multiyear CIP program to replace all HPS fixture with new technology type lamps (i.e. LED). The project will need to provide a lighting design using new technology type lamps to meet equivalent HPS lighting levels and RP-08.

c). Air Quality: That no wood burning fireplaces or stoves shall be installed as part of the proposed project.

d). Alley Design. The Design review plans shall consider opportunities to provide landscaping on rear of the homes facing the alleys.

2. Prior to issuance of the first building permit, the applicant is required to comply with the terms of the City of Alameda Public Art requirement as specified in Alameda Municipal Code section 30-65.
3. The applicant is required to prepare a Transportation Demand Management (TDM) Plan. The Marina Cove II development shall also include bike facilities in the Marina Cove Waterfront Park. The project shall be required to provide two AC Transit passes for each unit in perpetuity or an equivalent shuttle service. The HOA cannot remove this requirement at subsequent meetings. The TDM shall be subject to the review and approval of the Public Works and Community Development Directors, or their designees.
4. Prior to the Final Map approval, the project applicant shall execute an Affordable Housing Agreement with the City in conformance with the requirements of Section 30-16 Inclusionary Housing Requirements for Residential Projects. The Affordable Housing Agreement will require, in part, construction of 16 residential units affordable to very low-, low- and moderate-income households. The project will provide either six moderate-units, seven low-income units and three very-low income units or seven moderate-income units, five low-income units and four very-low income units.

### **Project Specific Environmental Conditions**

5. All Mitigation Measures are hereby incorporated as Conditions of Approval. The applicant shall be responsible for maintaining and periodically (to be determined at a later date) filing a Mitigation Monitoring and Reporting Program to demonstrate compliance with all project mitigations.
6. Mitigation Measure AQ-1: The project applicant shall require the construction contractor to reduce the severity of project construction period dust impacts by complying with the following control measures:
  - a. All exposed surfaces (e.g., parking areas, staging area, soil piles, graded areas,

and unpaved access roads) shall be watered two times per day.

b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

d. All vehicle speeds on unpaved roads shall be limited to 15 mph.

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 123, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access point.

g. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

7. Mitigation Measure CR-1: Prior to issuance of a grading permit, the project sponsor shall retain the services of a qualified archaeologist to develop and implement a plan, subject to review and approval by the City of Alameda Planning Division, for conducting a program of systematic subsurface archaeological testing. The mechanical testing program shall include excavation of test pits by backhoe following building demolition and removal of pavement, but prior to site grading. Mitigation Measures CR-2 and CR-3 shall also be implemented.

Or:

Following building demolition and removal of pavement, a qualified archaeologist shall be present during site clearing, grading, and excavation activities to continuously monitor for appearance of cultural resources. Monitoring shall continue until such time as the archaeologist determines that further removal of soils from the site will have no potential for encountering prehistoric and/or historic cultural deposits. If any potentially significant resources are discovered, all work shall be immediately halted in the area designated by the archaeologist as archaeologically sensitive until Mitigation Measure CR-2 has been fully implemented.

8. Mitigation Measure Cultural Resources-2: If any cultural artifacts are encountered during site grading or other construction activities, all ground disturbance in the vicinity shall be halted until a qualified archaeologist can identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). The archeological consultant shall immediately notify the City of Alameda Planning Division and the project sponsor of the encountered archeological deposit. The archeological consultant shall prepare and implement a plan, subject to review and approval by the City of Alameda Planning Division, for evaluation, recovery, and/or documentation of the discovered resource. The results of any additional archaeological effort required through the implementation of Mitigation Measures CR-1 through CR-3 shall be presented in a professional-quality report, to be submitted to the project sponsor, the City of Alameda, and the Northwest Information Center at Sonoma State University in Rohnert Park. The project sponsor shall fund and implement the mitigation in accordance with Section 15064.5(c)-(f) of the CEQA Guidelines and Public Resources Code Section 21083.2.
9. Mitigation Measure Cultural Resources-3: In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and a qualified archaeologist shall notify the Office of the Alameda County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date. If determined to be prehistoric, the Coroner's Office will notify the Native American Heritage Commission of the find, which, in turn, will then appoint a "Most Likely Descendant" (MLD). The MLD in consultation with the archaeological consultant and the project sponsor, will advise and help formulate an appropriate plan for treatment of the remains, which might include recordation, removal, and scientific study of the remains and any associated artifacts. After completion of analysis and preparation of the report of findings, the remains and associated grave goods shall be returned to the MLD for reburial.
10. Mitigation Measure Cultural Resources-4: If any paleontological resources are encountered during site grading or other construction activities, all ground disturbance shall be halted until the services of a qualified paleontologist can be retained to identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). The project sponsor shall immediately notify City of Alameda Planning Division staff and the City building inspector assigned to the project upon discovery of paleontological resources. If a fossil find is confirmed, it shall be recorded with the U.S. Geological Survey and curated in an appropriate repository, as determined by the paleontologist.
11. Mitigation Measure Geology and Soils-1: Prior to issuance of a grading permit, per the recommendation of the preliminary geotechnical investigation prepared for the project, the project sponsor shall retain the services of a qualified geotechnical engineer or engineering geologist to prepare a design-level geotechnical investigation for purposes of clarifying site preparation and design recommendations related to liquefaction potential, foundations, undocumented fill, shallow ground water, expansive soil, and

abandoned below-grade improvements such as buried debris, pipelines, railroad ties and tracks, and old foundations and slabs. The recommendations in the preliminary geotechnical investigation report shall be updated or modified as appropriate to reflect the design-level geotechnical investigation.

12. Mitigation Measure Geology and Soils-2: The proposed project design and construction shall incorporate all of the site preparation, foundation design, structural design, drainage, ground improvement performance testing, exterior flatwork, asphalt concrete pavement, and other recommendations presented in the June 14, 2012 geotechnical investigation prepared for the project by Cornerstone Earth Group, unless modified during construction, based on field conditions, by a qualified registered geotechnical or civil engineer. In addition, the final grading plans shall be reviewed by a qualified registered geotechnical or civil engineer, and any resulting additional recommendations shall be incorporated into the project. All site preparation work shall be performed under the observation of the Geotechnical Engineering firm of record. All design and construction shall conform to the requirements of the latest Uniform Building Code. All structural design and construction shall be subject to final approval by the City of Alameda Land Development and Permit Review Program of the Community Development Department.
13. Mitigation Measure Geology and Soils-3: Grading activities shall be restricted to the summer construction season (April 15th through October 15th). Any site earthwork after October 15th shall be limited to activities related to erosion control unless authorized in writing by the City of Alameda.
14. Mitigation Measure Geology and Soils-4: A Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and Stormwater Control Plan (SCP) shall be prepared and submitted along with grading permit applications. The SWPPP shall provide for temporary measures to control sediment and other pollutants during construction and the SCP shall specify permanent controls (such as drainage ditches) that should last for the life of the project. The requisite plans shall be prepared in accordance with the standards provided in the Manual of Erosion and Sedimentation Control Measures (2005) or the California Stormwater Quality Association's (CASQA) Best Management Practice (BMP) Handbooks for Construction and for New Development and Redevelopment (2009). Implementation of the plan will help stabilize graded and stockpile areas and reduce erosion and sedimentation. The plans shall identify Best Management Practices (BMPs) that will be adhered to during construction activities. Erosion-minimizing features such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), and/or retention/settlement areas shall be implemented as necessary before the onset of inclement weather. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during construction activities. The plans shall incorporate requirements of the Clean Water Program Alameda County and other applicable federal, State, and local requirements.
15. Mitigation Measure Geology and Soils-5: To the extent practicable, existing topsoil in

areas to be graded shall be stockpiled and re-used in the project areas for landscaping, erosion control, or other purposes.

16. Mitigation Measure Hazards and Hazardous Materials-1: Prior to issuance of a demolition permit for the existing buildings on the site, a survey for asbestos-containing building materials (ACBM) shall be conducted by a qualified asbestos abatement contractor. If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations. The Bay Area Air Quality Management District (BAAQMD) shall be notified ten days in advance of any required abatement work. To document compliance with the applicable regulations, the project sponsor shall provide the Alameda Community Development Department with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the building permit for the proposed project by the City of Alameda Community Development Department.
17. Mitigation Measure Hazards and Hazardous Materials-2: Prior to issuance of a demolition permit for the existing buildings on the site, a survey for lead-based paint (LBP) shall be conducted by a qualified lead assessor. If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the buildings is completed. The project sponsor shall provide a copy of the lead clearance report to the City of Alameda Community Development Department.
18. Mitigation Measure Hazards and Hazardous Materials-3: The project sponsor shall provide documentation to the City of Alameda demonstrating that the lead contamination in site soils has been remediated to below the applicable environmental screening level (ESL) for residential use. Removal and disposal of lead-contaminated soil, as well as drums of motor oil, hydraulic fluid, antifreeze, propane, and other hazardous materials, shall be performed by qualified personnel in accordance with applicable State regulations.
19. Mitigation Measure Hazards and Hazardous Materials-4: Prior to issuance of a grading permit for the project, the project sponsor shall prepare a soil management plan (SMP) to establish management practices to be followed during site grading in the event that any other pockets of contaminated soil, debris, or buried structures are encountered during the grading. The construction contractor shall be required to conform with the procedures identified in the SMP, as applicable.
20. Mitigation Measure Hazards and Hazardous Materials-5: For all remediation work performed in compliance with Mitigation Measures HM-3 and HM-4, the project sponsor shall prepare and implement a Health and Safety Plan (HASP) and a Soil Management Plan (SMP). The HASP shall identify the measures necessary to protect workers and to prevent their exposure to hazardous contaminants that are present in

the soils on the site. It shall be prepared in consultation with the San Francisco Bay Area Consultation Service Office of the California Department of Industrial Relations, Division of Occupation Safety and Health (Cal/OSHA), and in accordance with all applicable State and federal occupational safety and health standards, including Cal/OSHA's Hazardous Waste Operations and Emergency Response Guidelines (CCR Title 8, Section 5192). The SMP shall address the proper handling and disposition of potentially contaminated soils that may be encountered during excavation, and shall be reviewed and approved by the Alameda Fire Department/CUPA and/or the California Department of Toxic Substances Control (DTSC).

21. Mitigation Measure Water Quality-1: The project applicant shall prepare a C.3 Stormwater Control Plan to reference and incorporate current construction and postconstruction requirements specified by SWRCB Order No. 2009-0009-DWQ and the post-construction requirements specified by NPDES Order No. R2-2009-0074 and the Clean Water Program Alameda County (CWPAC). The C.3 Stormwater Control Plan shall be developed in accordance with the provisions of CWPAC's C.3 Stormwater Technical Guidance manual (Version 3.0, December 11, 2011). Additionally, as required by the C.3 Provisions, building permit applications must be accompanied by a Stormwater Control Plan, for review and approval by the City Engineer, which specifies the treatment measures and appropriate source control and site design features that will be incorporated into project design and construction to reduce the pollutant load in stormwater discharges and manage runoff flows.
22. Mitigation Measure Water Quality-2: The project sponsor shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ. Pursuant to the Order, the project applicant shall electronically file the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), and other site-specific PRDs that may be required. At a minimum the SWPPP shall incorporate the standards provided in the Association of Bay Area Governments' Manual of Standards for Erosion and Sedimentation Control Measures (2005), the California Stormwater Quality Association's California Stormwater Best Management Practices Handbook (2009), the prescriptive standards included in the CGP, or as required by the Clean Water Program Alameda County, whichever are applicable and more stringent. Implementation of the plan will help stabilize graded areas and reduce erosion and sedimentation. The plan shall identify Best Management Practices (BMPs) that shall be adhered to during construction activities. Erosion-minimizing efforts such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds shall be installed before extensive clearing and grading begins. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during construction activities.
23. Mitigation Measure Water Quality-3: All cut-and-fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October



15th and April 15th unless approved erosion control measures are in place.

24. Mitigation Measure Noise-1: The project sponsor shall provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for units throughout the site, so that windows can be kept closed at the occupants' discretion to control interior noise and achieve the interior noise standards.
25. Mitigation Measures Noise-2: The City of Alameda shall confirm the final specifications for noise insulation during final design of the project. In addition to sound-rated windows and doors, other treatments may include, but are not limited to: sound-rated exterior wall construction methods, acoustical caulking, insulation, acoustical vents, etc. Large windows and doors should be oriented away from noise sources where possible.
26. Mitigation Measure Noise-3: Pursuant to the Municipal Code, noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and holidays.
27. Mitigation Measure Noise-4: The project sponsor shall require the construction contractor to equip all construction equipment driven by internal combustion engines with intake and exhaust mufflers which are in good condition, appropriate for the equipment, and no less effective than those originally installed by the manufacturer. The manufacturers' noise abatement features, such as mufflers, engine covers, and engine vibration isolators, shall be intact and operational. All construction equipment shall be inspected weekly to ensure proper maintenance and presence of noise control devices (e.g., mufflers and shrouding, etc.). Unnecessary idling of internal combustion engines shall be strictly prohibited.
28. Mitigation Measure Noise-5: Wherever possible, hydraulic tools shall be used instead of pneumatic impact tools. "Quiet" air compressors and other stationary noise sources shall be utilized when appropriate technology is available. Construction staging areas, maintenance yards, air compressors, portable power generators, and other construction-oriented operations shall be located as far as reasonably possible from noise-sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noisegenerating equipment when located near adjoining sensitive land uses. Noise from construction workers' radios shall be limited such that the radios are not audible at existing residences bordering the project site.
29. Mitigation Measure Noise-6: The construction contractor shall prepare and submit to the City for approval a detailed construction plan identifying the schedule for major noise-generating construction activities. The plan shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaints (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The contractor shall conspicuously post a telephone number for the disturbance coordinator at the

construction site and include the notice sent to neighbors regarding the construction schedule.

30. Mitigation Measure Transportation/Traffic-1: The assumed Stop sign on westbound Clement Avenue at the intersection with Entrance Road shall be relocated to the northbound Entrance Road approach to the intersection. In addition, a new Stop sign shall be installed at the southern end of the Fortman Marina/Alameda Yacht Club driveway where it would join with the Clement Avenue extension to control traffic exiting from the driveway. The project sponsor does not control these private properties (Entrance Road is privately owned). Implementation of this mitigation measure will therefore require the City of Alameda to enter into agreements with the owners of the involved properties.

### **General Conditions for Final Map**

31. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Tentative Map Tract 8118" prepared by Ruggeri-Jensen-Azar dated October 10, 2012, consisting of 6 pages, marked Exhibit A, and on file in the office of the Alameda Community Development Department.
32. The Final Map shall be in substantial compliance with the Tentative Map and shall incorporate Alameda Datum.
33. Prior to the approval of the Final Map, all applicable conditions of approval of the approved Tentative Map, as revised or amended, shall be satisfied.
34. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Community Improvement Commission (CIC), the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, the CIC, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, the Alameda City Planning Board, the CIC, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.
35. The applicant/developer shall comply with all applicable policies and requirements of the current approved transportation plans, including the Bicycle Master Plan, the Pedestrian Master Plan, the Long Range Transit Plan, the Transportation Demand Management and Transportation System Management Plan, and the Multimodal Circulation Plan.
36. To guarantee completion of the required on-site and off-site improvements, the applicant/developer shall enter into an agreement with the City and provide a security in

a form and amount acceptable to the City prior to approval of the improvements plans and parcel/final map.

37. If the development is phased, the applicant/developer shall provide access for emergency vehicles, collection vehicles and resident circulation within each phase.
38. The applicant/developer shall provide written confirmation from all beneficiaries of an easement that is proposed to be abandoned stating their consent to the abandonment as required by the City Attorney. The confirmations shall be submitted for approval to the Public Works Director prior to approval of the improvement plans or parcel/final map, whichever comes first.
39. The applicant/developer shall pay all Public Works fees provided for in the Alameda Municipal Code.
40. The applicant shall remove any abandoned railroad tracks from publicly traveled roadways and sidewalks.
41. Lot Numbering: The lot numbers on the Final Map shall be consecutive. The Applicant shall submit a table or equivalent that compares the lot numbering on the approved Tentative Map with the Final Map.
  - a. New street names are required to be approved by the Planning Board. Prior to the recordation of the Final Map, street names shall be shown on the Final Map.
42. Prior to the City Council approval of the Final Map, the Applicant shall submit a Mylar copy and a CAD file of the improvement plans recorded Final Map.

**Civil and Infrastructure: Project Specific Conditions**

43. Prior to approval of the Final Map, or issuance of any building permit, the applicant/developer shall establish a funding mechanism acceptable to the Public Works Director, such as an assessment district, a landscape and lighting district, or Homeowners Association to provide funding for the maintenance of public and private streets, TSM/TDM, including public utilities and landscaping within the right-of-way, landscaping in common areas, public and private biotreatment areas, retaining walls, and the waterfront park. Site improvements and demolition may commence prior to approval of the funding mechanism.
44. The project shall join the adjacent maintenance assessment district, MAD 01-01 for Marina Cove I.
45. The common area for the multi-family units shall be owned and maintained by the HOA.
46. The applicant/developer shall reconstruct frontage improvements up to the centerline along Buena Vista Avenue. Along the north side of Buena Vista Avenue,

the applicant/developer shall install underground conduit that could accommodate the future installation of underground facilities such as traffic signal interconnect lines along Buena Vista Avenue.

47. The applicant/developer shall grade streets and lots to provide drainage and maintain access to existing Arbor Street pump station. Applicant/developer shall provide a 12-foot wide driveway, turn around space, and gate access improvements, as well as necessary easements, to allow for public access to the east side for the Arbor Street pump station for maintenance activities.
48. The applicant/developer shall underground all new utility lines, and those existing utilities located within and along the project frontage.
49. The applicant/developer shall maintain a 5-foot wide sidewalk and a 5-foot wide landscape strip along Clement Avenue fronting lots 56, 57, and 58.
50. The applicant/developer shall make a non-revocable offer of dedication to the City of Alameda for that portion of parcel B that will become a part of the future Entrance Road right-of-way and record said offer with the Final Map.
51. The applicant/developer shall grant the City of Alameda a Pedestrian Access Easement (PAE) over that portion of parcel B that will become a part of the future Entrance Road right-of-way.
52. The applicant/developer shall clearly delineate the private streets on the final map and the improvement plans.
53. The applicant/developer shall design the private utility systems to be separate from the public utility systems so that there is a clear point of connection between the two systems. The utility system design shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or grading permit, whichever comes first.
54. The applicant/developer shall provide utility access easements across all areas where public utilities cross private property. Public utilities must be accessible to City maintenance vehicles.
55. The applicant/developer shall grant the City of Alameda an Emergency Vehicle Access (EVA) easement wherever the Fire Rescue Vehicle access route crosses over private property. All streets and sidewalks within the access route shall be designed to support Fire Rescue Vehicle loads and accommodate truck turning radii. The applicant/developer shall grant to the City an ingress/egress easement for the purpose of waste collection wherever the access route crosses over private property.

56. Street trees shall be planted along Clement Avenue, Buena Vista Avenue, Arbor Street, Stanton Street and Street "A" pursuant to the Master Street Tree Program.

57. All lots shall drain independently.

58. No structures shall be placed over existing or proposed easements.

**Civil and Infrastructure: Standard Conditions**

59. The applicant/developer shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, paving, and solid waste storage and recycling areas. The plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California, unless the Public Works Director authorizes them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, and the Master Street Tree Plan. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvement plans or parcel/final map, whichever comes first. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, sewer facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.

60. The Final Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned with recording information as part of the Final Map. In addition, the following is required as part of the Final Map approval.

- a) The subdivider shall post a refundable cashier's check in the amount of \$400 to guarantee a mylar copy of the recorded Final Map.
- a) The subdivider shall pay for all reasonable office and engineering costs expended by the City Engineer's office, including overhead, in conjunction with reviewing the Parcel Map, improvement plans, easements, and in obtaining the map signature of the City's consulting surveyor.
- b) The subdivider shall provide five copies of the permit approved site/off-site civil improvement plans, landscape plans, and specifications along with a velum or other reproducible set (plans only), and a CD or DVD digital copy acceptable to the City Engineer.

61. The landscape and irrigation plans for improvements in the public right-of-way shall be prepared, signed, and stamped as approved by a licensed landscape architect and shall be in accordance with the City's Bay Friendly Landscaping requirements, the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable. Final landscape plans should ensure that all landscaping and bioswales are compatible with the stormwater treatment measures, designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. As appropriate, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or parcel/final map, whichever comes first. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
62. The landscape and irrigation plans for on-site improvements shall be prepared, signed, and stamped as approved by a licensed landscape architect and shall be in accordance with the City's Bay Friendly Landscaping requirements, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable. Final landscape plans should ensure that all landscaping and bioswales are compatible with the stormwater treatment measures, designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. As appropriate, IPM principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow of the swale. The plans shall be reviewed and approved by the Community Development Department prior to approval of the improvements plans or parcel/final map, whichever comes first. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of the on-site landscaping and irrigation was constructed in accordance with the approved plans.
63. The landscape and irrigation plans for improvements in the public right of way shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and the Bay Friendly Coalition,

the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.

a) Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:

- have plans prepared by a qualified BFL design professional;
- earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
- complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
- acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
- pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
- submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first,

b) In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the stormwater treatment measures designed to minimize irrigation and runoff; promote surface infiltration, where appropriate; and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Also, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow capacity of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans shall be approved by the Public Works Director prior to establishment of the use. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of landscaping and irrigation in the public right of way was constructed in accordance with the approved plans.

64. The landscape and irrigation plans for on-site improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall

be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org, and the Bay Friendly Coalition, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.

a) Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:

- have plans prepared by a qualified BFL design professional;
- earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
- complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
- acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
- pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
- submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first,

b) In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the stormwater treatment measures, designed to minimize irrigation and runoff; promote surface infiltration, where appropriate; and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Also, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow capacity of the swale. The plans shall be reviewed and approved by the Community Development Department prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans shall be approved by the Community Development Department prior to establishment of the use. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site landscaping and irrigation was constructed in accordance with the approved plans.



65. Any proposed improvements with the floodplain area shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California and meet the requirements of the AMC. The applicant/developer shall include the recommended improvements into the project's improvements plans prior to approval of the improvement plan and parcel/final map.
66. Projects within the BCDC jurisdiction will be required to meet applicable Sea Level Rise conditions and coordinate all BCDC approvals.
67. A sanitary sewage flow analysis, acceptable to the Public Works Director, identifying the total peak sanitary sewage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The engineer shall sign and stamp the analysis as approved. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system using a hydraulic model and determine the required improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area. All permits, easements and/or approvals for modifications to the sewer system required by EBMUD are to be obtained prior to Final Map. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will include the recommended improvements from the sewer study and from EBMUD into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first.
68. A sanitary sewage treatment capacity analysis for wet weather flows, acceptable to the Public Works Director, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The engineer shall sign and stamp the analysis as approved. The plan shall identify and mitigate any increase in wet weather flow treatment capacities associated with the development when compared to existing conditions. The applicant/developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first.
69. A storm drainage hydrology analysis, acceptable to the Public Works Director, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The engineer shall sign and stamp the analysis as approved. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system using a hydraulic model and determine the improvements, if any, to ensure sufficient capacity for this project and anticipated cumulative growth in the associated drainage basin. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plan or

parcel/final map, whichever comes first.

70. For all subdivisions and parcel maps, the applicant/developer shall submit a soils investigation and geotechnical report, acceptable to the Public Works Director, in accordance with the AMC and prepared by a registered geotechnical engineer licensed in the State of California, with recommendations based on the findings. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans or parcel/final map, whichever comes first. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the work performed is adequate and complies with their recommendations. Additional soils information may be required during the plan check of individual house plans. The applicant/developer will include the engineer's recommended improvements into the projects improvement plans prior to approval of the improvement plan or parcel/final map, whichever comes first.
71. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances and Public Works Department standards.
72. All new utilities shall be placed underground prior to issuance of any occupancy permit, including a temporary occupancy permit. In addition, when approval of a tentative subdivision/parcel map is required, all existing utilities within the project shall be placed underground in accordance with the AMC, prior to acceptance of the project.
73. Applicant/developer shall resurface the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations so the street is restored to pre-project conditions. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of either a one and a half (1½) inch asphalt concrete overlay, as determined by the Public Works Director. Applicant/developer shall also provide digouts and reconstruction of any potholed and/or alligatored areas adjacent to the project.
74. Retaining walls adjacent to a property line shall not exceed one foot in height and may be masonry, metal, or concrete. Wood retaining walls shall not be installed adjacent to property lines. Existing retaining walls are to be evaluated by a geotechnical/structural engineer for integrity. The engineer is to provide design criteria and recommendations for all retaining structures. The applicant/developer will include the engineer's recommended improvements into the projects improvement plans prior to approval of the improvement plan or parcel/final map, whichever comes first.
75. Installation of street paving shall include reconstruction of the existing pavement section

to provide adequate conforms. The limits of the reconstruction shall be established by the Public Works Director prior to approval of the improvement plans or parcel/final map, whichever comes first.

76. Exposed soil surfaces shall be periodically sprinkled to retard dust. During construction, the applicant/developer shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the site, and frequent clean-up of soil carried by construction vehicle tires from the site onto streets. No City water shall be used for this purpose.
77. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
78. Hydroseeding of all disturbed areas shall be completed by October 1. Applicant/developer shall provide sufficient maintenance and irrigation to ensure growth is established by November 1.
79. Construction activities are restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.
80. Construction equipment must have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained.
81. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
82. Grading and construction equipment shall be shut down when not in use.
83. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Public Works Director to warn oncoming motorists, bicyclists, and pedestrians of potential safety concerns.
84. Prior to trenching within existing street areas, the applicant's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such system.
85. New street trees shall maintain clearances from utilities as follows: a) Fire hydrant – six feet; b) top of driveway wing – five feet; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – five feet; f) front of electrical pad-mounted equipment – ten feet. Verify minimum clearance distances of street trees/shrubs from electrical transformers with Alameda Municipal Power (AMP).

86. Approved backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
87. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

**Stormwater and Water: Project Specific Conditions**

88. The applicant/developer shall relocate all existing private water service lines and meters serving Alameda Liquid Bulk Terminal Inc. and Fortman Basin that are currently located within the project boundaries. The relocation must be coordinated with Alameda Liquid Bulk Terminal Inc., Fortman Basin and EBMUD. The new lines and meters must meet all applicable EBMUD requirements and approvals.
89. The applicant/developer shall coordinate water service for the proposed development with EBMUD and shall acquire all necessary EBMUD approvals. The applicant/developer shall contact EBMUD's New Business Office and request a water service estimate prior to approval of improvement plans. The following EBMUD conditions may apply:
- a. EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater that must be handled as hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants. Project sponsors for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary.
  - b. The applicant/developer shall provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater. EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the project sponsor is insufficient EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the project sponsor's expense.

90. The applicant/developer shall comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation have been reviewed and approved by EBMUD.

### **Stormwater and Water: Standard Conditions**

91. Prior to issuance of building permits, the applicant/developer shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project. Accumulated wastewater must be drained to the sanitary sewer.
92. The construction improvement plans shall incorporate permanent stormwater treatment controls and/or design techniques to manage the quantity and quality of stormwater runoff from a planned development to prevent and minimize impacts to water quality. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include vegetated swales, vegetated buffer zones, bioretention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and Low Impact Development (LID) measures. Stormwater treatment measures shall be constructed consistent with the latest version of the Alameda Countywide Clean water Programs Provision C3 Technical Guidance Manual. Applicants may also refer to the Bay Area Stormwater Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance.
93. The landscaping plans shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques. Where feasible, landscaping shall be designed and operated to treat stormwater runoff.
94. The applicant/developer must provide documentation, consistent with the ACCWP C3 Manual, Appendix J, and the "Infiltration/Harvesting and Use Feasibility Screening Worksheet" and the "Infiltration Feasibility Worksheet" that provides for the determination of the feasibility or infeasibility of infiltration of the C3 regulated volumes or flows of stormwater for the site drainage management areas. This shall be completed prior to any design considerations for the use of landscaped, stormwater biotreatment areas. Driveways shall be constructed per City Standards, including standard driveway spacing.

95. The applicant/developer must provide documentation, consistent with the ACCWP C3 Manual, Appendix J, and the "Infiltration/Harvesting and Use Feasibility

Screening Worksheet” and the “Rainwater Harvesting and Use Feasibility Worksheet”, that provides for the determination of the feasibility or infeasibility of water capture and re-use of the C3 regulated volumes or flows of stormwater for the drainage management areas. This shall be completed prior to any design considerations for the use of landscaped, stormwater biotreatment areas.

96. For any project that creates or replaces 10,000 square feet or more of impervious surfaces, the applicant/developer shall submit a plan showing storm water treatment measure(s) required to be constructed to meet the hydraulic sizing design criteria indicated in the C.3.d provisions of the City of Alameda’s municipal NPDES storm water permit as part of the improvement plans for the project. As part of the final improvement plan submittal, the applicant/developer shall submit a stamped, signed certification from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the Public Works Director or designee that indicates the treatment measure design meets the established sizing design criteria for stormwater treatment measures prior to approval of the improvements plans, parcel/final map, or grading permit, whichever comes first.
97. For any project that creates or replaces 10,000 square feet or more of impervious surfaces, the applicant/developer shall submit a Stormwater Treatment Measures Operations and Maintenance (O&M) Plan as part of the improvement plans for the project. The O&M plan shall include, but not be limited to: treatment measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5”x11”) copy of the Site Plan indicating the treatment measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and, estimates of annual treatment measure(s) maintenance costs. The O&M Plan shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or grading permit, whichever comes first.
98. For any project that creates or replaces 10,000 square feet or more of impervious surfaces, the applicant/developer shall submit a Stormwater Treatment Measures Maintenance Agreement (Agreement) as part of the improvement plans for the project. The Agreement shall include, but not be limited to: the approved O&M plan for all post-construction (permanent) stormwater treatment measures; identification of the party responsible for stormwater treatment measures O&M; an instrument of financial assurance, in an amount and form acceptable to the City, from the party responsible for stormwater treatment measures O&M; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report approved by the City. The Agreement be executed between the project owner and the City and recorded, prior to approval of the improvements plans, parcel/final map, or grading permit, whichever comes first. The Agreement shall also

be recorded at Project Owner's expense, with the County Recorder's Office of the County of Alameda as part of recordation of the parcel/final map.

99. For any project that creates or replaces 10,000 square feet or more of impervious surfaces, the applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the Public Works Director, prior to the issuance of any occupancy permit, including a temporary occupancy permit.
100. The applicant/developer shall submit a completed City of Alameda Impervious Surface Form to the Public Works Department for review prior to approval of the improvements plans, parcel/final map, or grading permit, whichever comes first. The form shall include a table showing the amount of pervious and impervious area (indicated in units of square feet) prior to and after the proposed development.
101. Fire sprinkler system test water discharges shall be directed to onsite vegetated areas.
102. The applicant/developer shall submit, in digital format, a Notice of Intent (NOI) form to the California State Water Resources Control Board (SWRCB)'s SMARTS website, indicating the intent to comply with all requirements of the SWRCB Construction Activity Storm Water NPDES General Permit (Permit) and provide documentation to the Public Works Director prior to approval of a grading permit.
103. In compliance with the NOI submittal to the SWRCB, the applicant/developer of any project with a total disturbed area of one acre or greater shall submit a Storm Water Pollution Prevention Plan (SWPPP) as part of the improvement plan submittal. The SWPPP shall be reviewed and accepted by the Public Works Director or designee for conformance with the City's erosion and sediment control standards. Upon City's acceptance of the plan, applicant/developer shall submit, in digital format, the SWPPP and other required permit registration documents to the SWRCB's SMARTS website and provide the Public Works Director with documentation of the submittal prior to approval of a grading permit.
104. In compliance with the SWPPP, the applicant/developer of any project with a total disturbed area of one acre or greater shall be responsible for ensuring that all

contractors and sub-contractors install and regularly maintain all control measure elements required in the project SWPPP s during any construction activities.

105. The applicant/developer of any construction project resulting in the potential for soils, construction materials and fluids, waste, and trash to blow or wash into a storm drain, gutter or street shall be responsible for ensuring that during any construction activity all contractors and sub-contractors install and regularly maintain erosion control measures and perform Best Management Practices (BMP), as described in the Alameda Countywide Clean Water Program brochures the San Francisco Bay Regional Water Quality Control Board's Erosion and Sediment Control Field Manual and the California Stormwater Quality Association's Stormwater Best Management Practice, to prevent any pollutants entering directly or indirectly the storm water system. The applicant/developer shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system.
106. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.

#### **Traffic and Transportation: Project Specific Conditions**

107. The applicant/developer shall construct the proposed Clement Avenue Extension and increase the right-of-way from 67 to 69 feet in order to accommodate two 11.5-foot wide travel lanes, one 17-foot wide alternative vehicle corridor on the north side of the road (presently this area would contain a multi-purposed path and landscaping), one 7-foot wide parking lane on the south side of the street, and two 6-foot wide bicycle lanes, and one 5-foot wide sidewalk and one 5-foot wide landscape strip.
108. The applicant/developer shall construct Entrance Road to the centerline to provide a curb to curb width of 36 feet and a right-of-way width of 56 feet. The applicant shall make an offer to the property owner of Entrance Road to improve Entrance Road to the centerline, and provide proof of such offer. If the property owner is agreeable to said improvements, the improvements shall be completed prior to issuance of the first certificate of occupancy for the development. If the property owner is not agreeable to said improvements, the applicant shall provide the funds in escrow, under the control of the City of Alameda, in an amount equal to an estimate of the improvements. The funds shall be placed in escrow prior to issuance of the first certificate of occupancy for the development.
109. The applicant/developer shall designate Buena Vista Avenue for "No Parking" along the north side. The striping plan for Buena Vista Avenue shall include installation of a two way left turn lane along the development frontage.
110. Prior to issuance of any building permits or approval of the Final Map, whichever occurs first, the applicant/developer shall pay a pro-rata share towards the design and construction of traffic signals at the intersections of Sherman Street and Clement



Avenue, Entrance Road and Clement Avenue, and Entrance Road and Buena Vista Avenue.

111. Prior to issuance of the any building permits or approval of the Final Map, whichever occurs first, the applicant/developer shall create a Transportation Demand Management (TDM) program with monitoring requirements geared towards reducing the single occupant vehicle (SOV) trips to and from the development. This program must include the process of creating a Transportation Management Association (TMA) or joining an existing TMA in the area. The program shall demonstrate how the development shall reduce peak hour trips by a minimum of 10 percent. The Transportation Demand Management program shall be approved by the Public Works Director and the Community Development Department.
112. Controlled crosswalk locations at Stanton and Buena Vista and Stanton and Clement shall include enhanced pedestrian warning devices such as lighted crosswalks or Rectangular Rapid Fire Beacons (solar powered devices are acceptable) and enhanced signage and striping.
113. The applicant/developer shall install stop controlled signage and striping at the intersections of Clement Avenue and Entrance Road and Buena Vista Avenue and Entrance Road to the satisfaction of the Public Works Director. The proposed stop controlled signage and striping shall be shown on the traffic striping and signage plan.
114. The applicant/developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc, as part of the construction improvement plan submittal. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or parcel/final map, whichever comes first.
115. The applicant/developer shall provide a minimum of 5 bicycle parking facility locations to be determined by the Public Works Director.
116. The applicant/developer shall submit a Traffic Capacity Management Procedure (TCMP) analysis for the Webster/Posey Tubes to the Public Works Director prior to approval of the improvement plans or parcel/final map, whichever comes first.

#### **Traffic and Transportation: Standard Conditions**

117. At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as

approved. In general, any vehicular, transit, bicyclist, and pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to receive prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Constructed work may not commence until the TCP is approved by the Public Works Director.

118. Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

### **Environmental: Standard Conditions**

119. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director prior to establishment of the use. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.
120. All projects which the City reasonably determines will cost one hundred thousand dollars (\$100,000) or greater to construct will be required to submit a Waste Management Plan (WMP) approved by the Public Works Director in accordance with AMC Section 21-24.
121. During the construction/demolition/renovation period of the project, applicant/developer must obtain the necessary hauling permit, use a City certified waste hauler, or use the City of Alameda's franchised waste hauler, Alameda County Industries (ACI), in accordance with AMC Section 21-21, to remove all wastes generated during the project development.
122. Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles used by the City's designated collector or hauler. In all cases where a parcel is served by an alley, all exterior storage areas shall be directly

accessible to the alley.

123. The storage area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand as determined by the Public Works Director.
124. All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used or emptied.

**Prior to First Final Map, Improvement Plan or Grading Permit:**

125. Hazardous Materials. Prior to approval of the first final subdivision map for the property or improvement plans or grading permits for any portion of the property covered by the first Final Map, whichever comes first, the applicant/developer shall obtain written confirmation from the California Department of Toxic Substances Control (DTSC) and from any other non City environmental regulatory agency (such as the Regional Water Quality Control Board and ACDEH) with jurisdiction over hazardous materials on the property that remediation of the property or applicable portion thereof has been completed and that the property or portion thereof is protective of human health and safety and the environment for the residential and open space uses as indicated on the site plan. If the first map is only for a portion of the property, then the same requirements as set forth in the preceding sentences shall apply for any subsequent initial final map for any improvement plan or grading permit for the remaining portions of the property, whichever comes first.

**Other**

126. Prior to the recordation of the Final Map, the subdivider shall submit engineered Improvement Plans including, but not limited to, the proposed roadways, drainage improvements, utilities, traffic control devices, retaining and/or sound walls, sanitary sewers and storm drains, common area landscaping and other subdivision improvements, the design of street furniture including, but not limited to ganged mailboxes and light fixtures, consistent with the requirements and to the satisfaction of the Community Development Director and the Public Works Director.
127. A grading plan with appropriate erosion control measures shall be required for all areas within the subdivision which shall be prepared to the satisfaction of the Public Works Director.
128. The Improvement Plans shall include and meet all the necessary requirements of the Alameda Countywide Clean Water Program.
129. Private street entrances to the subdivision shall be identified by a different pavement material designed to the satisfaction of the Community Development Director and the Community Development Director.

130. Any existing, historic street lights located along Buena Vista Avenue shall be protected and preserved. To the extent that historic street lights must be moved to accommodate proposed access, the subdivider shall salvage the light fixtures and reinstall them in locations acceptable to AMP's Engineering Manager. Additionally, electric service to existing streetlights along the north side of Buena Vista, adjacent to the project, shall be undergrounded.
131. Street and walkway tree plantings shall be coordinated with Exhibit "A" of the PD-99-1 for Marina Cove I. A detailed tree planting and landscaping plan shall be required for all street areas, common areas and along Buena Vista Avenue adjacent to the site. These plans shall be prepared to the satisfaction of the Public Works Director and the Community Development Director, and shall be submitted in conjunction with the Improvement Plan.
132. The planter strips at the project entries shall include one 24" box street tree per 30 linear feet of street length along roads dedicated to public access, and will include shrubs, vines, ground cover and flowering plant materials.
133. A minimum of four 24" box trees shall be installed at the ends of each court abutting a public road.
134. Trees selected for planting along the private "lanes" and "courtyards" shall be of an appropriate size and shape to allow at least 14-15 feet of overhead clearance for solid waste collection trucks and other vehicles. Trees must not be planted so close to the edge of "lanes: that a truck turning around them without impact would have difficulty.
135. Deep root barriers shall be required for all trees planted adjacent to curbs, sidewalks and other pavements, to the satisfaction of the Public Works Director.
136. All fencing barriers and header boards shall be installed to the satisfaction of the Public Works Director.

### **Alameda Municipal Power**

137. Pedestrian and vehicular lighting at all intersections and project driveways shall meet AMP standards for crosswalks, sidewalks, and intersections.
138. To provide electric service to the proposed development, primary line extensions will be required. Per AMP's Rules and Regulations, the owner/developer shall be responsible for 60% of the installed costs of the required primary trunk cables and padmounted switches. The subdivider's electrical consultant shall coordinate with AMP regarding power requirements.
139. The subdivider shall provide all necessary underground substructures, including conduits, pull boxes, transformer pads, etc. per AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will

furnish and install all required transformers, high voltage distribution cables, and secondary cables.

140. The subdivider shall be responsible for the cost of AMP's assigned inspector during construction.
141. The subdivider shall furnish and install Code-sized service cables in code-sized conduit from each house to the nearest secondary pullbox. AMP will connect the serviced to the secondary distribution system.
142. The subdivider shall furnish easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
143. The subdivider shall furnish and install service equipment for each house. The service equipment shall meet Electric Utility Service Equipment Requirement Committee standards.
144. AMP will take over ownership and will be responsible for maintaining all new substructures for undergrounding primary and secondary circuits, and distribution transformers once the improvements have been inspected and found to have been properly installed. The subdivider or successor property owners shall be responsible for the service cables and service equipment.
145. The subdivider shall be responsible for all expenses involved in the duct system engineering design, plan check, and electrical construction inspection.
146. The subdivider shall submit two sets of approved drawings showing the required electric utility facilities.

## **Fire Department**

147. The subdivider shall be responsible for a water main extension to serve the project, whose design shall be shown on the Improvement Plan to the satisfaction of the East Bay Municipal Utilities District and the Public Works Director. The subdivider may also be responsible for off-site improvements related to fire flow requirements.
148. Prior to approval of the Improvement Plans, the subdivider shall submit revised plans, for review and approval by the Public Works Director in consultation with the Fire Chief, that:
  - a. Provide fire hydrants space at 500 foot intervals throughout the project. For dead-end streets, distance to the nearest hydrant shall not exceed 400 feet;
  - b. Ensure fire flow for the development shall be 1,000 G.P.M. from any one hydrant;
  - c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length; and
  - d. Ensure that all roads have an adequate turning radii for fire apparatus (inside turning radius of 34 feet and outside turning radius of 49 feet); and

e. Minimum fire lane width shall be 20 feet.

149. All private streets and courts with the development shall be marked as fire access roads to the satisfaction of the Fire Chief. No on-street parking shall be permitted within private streets and courts.
150. The applicant/developer shall provide a 20-foot Emergency Vehicle Access (EVA) Easement along future Entrance Road to allow fire rescue vehicles front door access to all lots fronting future Entrance Road. The applicant/developer shall make an offer to the property owner of Entrance Road to acquire an EVA easement, and provide proof of such offer. If the property owner is agreeable to said easement, the easement shall be dedicated to the City of Alameda prior to or concurrent with the approval of the final map.
151. The lot numbers on the Final Map shall generally correspond to the lot numbering on the approved Tentative Map.
152. Prior to the recordation of the Final Map, all applicable conditions of approval of Planned Development PD-12-0226, pertaining to subdivision improvements shall be satisfied. The subdivision shall be constructed to comply with PD-12-0226.
153. The subdivider shall record the Final map within twenty-four (24) months of approval, or conditional approval, the Tentative Map by the City Council. An extension of time, not to exceed and additional twelve (12) months, for the filing of the Final Map may be granted by the City Council providing written application is made by the subdivider prior to the expiration of the approved or conditionally approved Tentative Map.
154. Provide a traffic signing and striping plan to indicate the location of all stop signs and other traffic control devices. Stop signs will be required at all public and private street intersections with Buena Vista Avenue, Clement Avenue, Arbor Street, Stanton Street, Street "A" and Entrance Road, and will be required at each private roadway entrance onto a public street.

[The following NOTICES will be included in the Final document to the Planning Board]

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the

dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.